

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

Kane-Rini

Plaintiff(s)

vs.

American Home

Defendant(s)

*

*

*

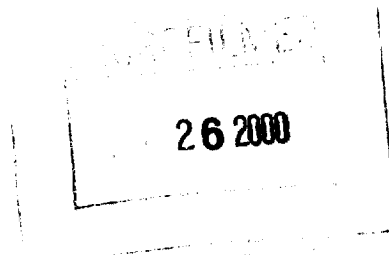
*

ORDER

A conditional transfer order having been issued by the Judicial Panel on Multidistrict Litigation, it is this 26 day of July, 2000.

ORDERED that this action be administratively closed subject to being reopened in the event that any party files an objection with the MDL Panel in accordance with the Panel's Rule 12.


J. Frederick Motz
United States District Judge



pas
(4)

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

MICROSOFT CORPORATION,

CLERK'S OFFICE
AT BALTIMORE

Plaintiff,) DEPUTY
Case No. AMD 99-955

v.)

MARK TANNENBAUM dba TWINBROOK)
COMPUTER & VIDEO SOLUTIONS, et al.)

Defendants.)

**ORDER AND JUDGMENT RE: PLAINTIFF
MICROSOFT CORPORATION'S APPLICATION FOR ENTRY OF A
DEFAULT JUDGMENT AND PERMANENT INJUNCTION AGAINST
DEFENDANTS CESAR MORALES, AN INDIVIDUAL, AND DOING BUSINESS AS
ADVANCED COMPUTERS, AND MARK TANNENBAUM, AN INDIVIDUAL,
AND DOING BUSINESS AS TWINBROOK COMPUTER & VIDEO SOLUTIONS**

Having considered Microsoft Corporation's ("Microsoft") Application for Entry of Default Judgment, Memorandum of Points and Authorities in Support of Plaintiff Microsoft's Application for Entry of Default Judgment, the Declarations of Brian K. McCalmon and Laurie Stein in support thereof, the Complaint, and other papers in the Court's file in this matter,

THE COURT MAKES THE FOLLOWING JUDGMENT:

1. Defendants are liable to Microsoft for willful copyright infringement of the following works:

- (1) 1,256,083 ("MICROSOFT");
- (2) 1,872,264 ("WINDOWS");
- (3) 1,200,236 ("MICROSOFT");
- (4) 1,816,354 (WINDOWS FLAG LOGO);
- (5) 1,815,350 (COLORED WINDOWS LOGO);
- (6) 1,982,562 (PUZZLE PIECE LOGO);
- (7) 1,475,795 ("POWERPOINT");
- (8) 1,741,086 ("MICROSOFT ACCESS"); and
- (9) 1,592,783 ("BOOKSHELF").



2. Defendants are liable to Microsoft for willful trademark infringement under federal law, 15 U.S.C. § 1114 et seq., resulting from their use in commerce of Microsoft's trade dress and use and imitation of the following Trademarks and/or Service Mark Registration Numbers:

- (1) TX 649-511 (Microsoft Windows 95);
- (2) TX 4-395-984 (Microsoft Office 97 (Professional Edition));
- (3) TX 4-395-639 (Microsoft Access 97);
- (4) TX 4-395-640 (Microsoft Excel 97);
- (5) TX 4-395-686 (Microsoft Outlook 97);
- (6) TX 4-395-685 (Microsoft Powerpoint 97); and
- (7) TX 4-395-687 (Microsoft Word 97).

3. Defendants are liable to Microsoft for unfair competition under federal law, 15 U.S.C. § 1125, and under the laws of the State of Maryland.

4. Microsoft is hereby awarded judgment against defendants Cesar Morales, an individual and doing business as Advanced Computers, and Mark Tannenbaum, an individual and doing business as Twinbrook Computer & Video Solutions, jointly and severally, as follows:

a.	Statutory Damages	\$9,700,000.00
b.	Attorneys' Fees	\$13,650.00
c.	Costs	\$5,100.00
	Total Judgment	\$9,718,750.00

5. This judgment shall accrue interest, compounded annually, pursuant to 28 U.S.C. §1961.

6. Defendants shall be permanently enjoined from further infringing any of Microsoft's copyrights and trademarks. This Court contemporaneously issues a separate permanent injunction.

IT IS SO ORDERED.

DATED: July 26, 2000

Andre M. Davis
ANDRE M. DAVIS
UNITED STATES DISTRICT JUDGE

Presented by:

PRESTON GATES ELLIS
& ROUVELAS MEEDS LLP

By Brian K. McCalmon
Brian K. McCalmon, Bar No. 14737
Suite 500
1735 New York Avenue, N.W.
Washington, D.C. 20006
(202) 628-1700

Attorneys for Plaintiff
MICROSOFT CORPORATION